

# ACER Opinion LFCR

## Summary

- LFCR is the 3<sup>rd</sup> of the three system operation codes;
- It aims to define requirements and principles for load frequency control and reserves for TSOs, DNOs and reserve providers;
- Quality & content of the LFCR code is good;
- Industry stakeholders response to code = positive;
- Framework guideline issues – same as OS & OPS – national scrutiny and & non-exhaustiveness of the national scrutiny scope eg Recitals (7) to (9) and Article 4(1) to (4) NC LFCR;

### *ACER Opinion & Recommendation – dd 26 September 2013*

- To prevent negative opinion & recommendation – ENTSO-E & ACER have worked closely together to resolve issues;
  - ENTSO-E submitted letter dd 10-09-2013- to ACER to address ACER's concerns on national scrutiny;
  - Letter must be seen as amendment to NC LFCR;
  - ACER has taken letter as amendment into account & concluded LFCR is in line with framework guideline.
- ...there is still room to influence – stakeholders are requested to provide specific examples or problematic rules/definitions to Ofgem a.s.a.p.

## National Scrutiny & Non-Exhaustiveness of the national scrutiny scope

### Old recitals 7 – 9 for the LFCR:

“(7) The Network Code should respect the competences of national authorities raising out of Regulation (EC) N° 714/2009 and Directive 72/2009/EC in combination with its implementation in national legislation.

(8) This Network Code should not hinder National Regulatory Authorities competence to monitor compliance with Network security and reliability rules and to set or approve standards and requirements for quality of service and supply.

(9) This Network Code should not be detrimental to the right of any party having a complaint against a transmission or distribution system operator in relation to that operator’s obligations under this Network Code to direct its complaint to the regulatory authority”.

→ Letter ENTSO-E , dd.10 September 2013

### New recitals 7 and 8 for the NC LFCR:

“(7) Directive 2009/72/EC and Regulation (EC) No 714/2009 provide for powers and duties of national regulatory authorities with regard to measures taken by Transmission System Operators (TSO), allowing Member States to involve in certain cases also other national authorities. Those competences should also apply to measures taken by TSOs under this Network Code. To ensure consistent cross-border application of the most relevant of those competences, it is necessary to clarify the competence of national regulatory authorities to approve or fix specific terms and conditions or actions necessary to ensure operational security or their methodologies. The Network Code does not preclude Member States from providing for the approval or fixing by national regulatory authorities of other relevant terms and conditions or actions necessary to ensure operational security or their methodologies within a timeframe allowing the timely delivery of those terms and conditions or actions.

(8) This Network Code is not detrimental to the right of any party having a complaint against a Transmission System Operator or Distribution System Operator in relation to that operator’s obligations under this Network Code to direct its complaint to the regulatory authority”